

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF MONTANA**

**BUTTE DIVISION**

**FILED**  
GREAT FALLS DIV.

2009 JUN 17 AM 11 57

PATRICK E. DUFFY, CLERK

BY \_\_\_\_\_  
DEPUTY CLERK

LOVASS, et al.,

Plaintiff,

No. CV 07-72-BU-SEH

vs.

**ORDER**

UNITED STATES FOREST  
SERVICE, et al.,

Defendants.

On April 23, 2008, United States Magistrate Judge Keith Strong entered Findings and Recommendation<sup>1</sup> in this matter. Plaintiff filed objections on May 4, 2009. Defendants Sun Mountain Lumber, Inc. and Sherman Anderson filed a response on May 14, 2009. The Court reviews *de novo* findings and recommendation to which objection is made. 28 U.S.C. § 636(b)(1).

Upon *de novo* review of the record, I find no clear error in Judge Strong's Findings and Recommendations and adopt them in full..

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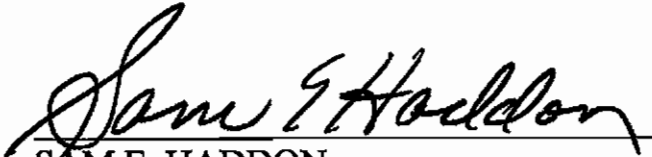
<sup>1</sup> Docket No. 79.

ORDERED:

1. Defendants Sun Mountain Lumber, Inc and Sherman Anderson Motion to Dismiss Count VI and VII of Plaintiff's Third Amended Complaint<sup>2</sup> is GRANTED. Counts VI and VII of Plaintiffs's Third Amended Complaint are DISMISSED.

2. Defendants Sun Mountain Lumber, Inc, and Sherman Anderson are DISMISSED. The caption shall be amended accordingly to reflect the dismissal.

DATED this 17<sup>th</sup> day of June, 2009.

  
SAM E. HADDON  
United States District Judge

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<sup>2</sup> Docket No. 65.